



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARK
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/802,674	03/09/2001	Macmet.al.	DEX-0142

EXAMINER	
A. M. Harris, Ph.D.	
ART UNIT	PAPER NUMBER
1642	16

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) A. M. Harris (3) _____
(2) Kathleen A. Tyrrell (4) _____

Date of Interview 10/8 & 9/2003

Type: Telephonic Televideo Conference Personal (copy is given to applicant applicant's representative).

Exhibit shown or demonstration conducted: Yes No If yes, brief description: _____

Agreement was reached. was not reached.

Claim(s) discussed: 1

Identification of prior art discussed: US2003/0109690A (6/12/2003)

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Examiner spoke w/App. representative, Ms. Tyrrell about possibly amending the language of claim 1 & a forthcoming art rejection. Ms. Tyrrell stated that the claim would not be further amended at this time & the fact that prosecution should proceed.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary. A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has not been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

Examiner Note: You must sign this form unless it is an attachment to another form.

Manual of Patent Examining Procedure, Section 713.04 Substance of Interview must Be Made of Record

Except as otherwise provided, a complete written statement as to the substance of any face-to-face or telephone interview with regard to an application must be made of record in the application, whether or not an agreement with the examiner was reached at the interview.

61,133 interviews

(b) In every instance where it is considered necessary to be conducted in view of an interview with an examiner or a couple of written statement of the reasons presented at the interview as was having favorable effect, it must be made by the applicant. A copy of the fees will receive the same as is required to be paid to the USPTO as provided in 37 CFR 1.165, 1 and 1.170 (35 U.S.C. 120).

§ 1.2. Business to be transacted in writing. All business with the Plaintiff, application of their attorneys or agents, or the Plaintiff in their office, on the petition to defend in a Office. No petition will be filed unless no doubt.

The action of the Patent and Trademark Office cannot be justified to reexamine the substance of inter partes.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to detect material inaccuracies which bear directly on the questions of patentability.

Examiners must complete a *Two-Step* Interview Review Summary Form for each interview held after January 1, 1978 where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks in neat handwritten form using a ball point pen. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, pointing out typographical errors or unreadable script in Office actions or the like, or resulting in an examiner's amendment that fully sets forth the agreement are excluded from the interview recordation procedures below.

The Interview Summary Form shall be given an appropriate paper number, placed in the right hand portion of the file, and listed on the "Contents" list on the file wrapper. In a personal interview, the duplicate copy of the Form is retained and given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephonic interview, the copy is mailed to the applicant's address or to the office of the attorney or agent in the next official communication.

The Form provides for recordation of the following information:

- Application Number of the application
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (personal or telephonic)
- Name of participant(s) (applicant, attorney or agent, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the claims discussed
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of memorandum of claims agreed to, being allowances). (Agreements as to allowances are tentative and do not restrict further action by the examiner to any contrary.)
- The signature of the examiner who conducted the interview
- Names of other Patent and Trademark Office personnel present

The term *alloy* contains a subtle but important element of bias in the way we think about materials.

It should be noted, however, that the interview summary form will not inform the considerate examiner of a proper recordation of the interview unless it includes

A complete and proper recitation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature, if any, exhibit shown and demonstration of it;
- 2) an identification of the claims discussed;
- 3) an identification of specific prior art discussed;
- 4) an identification of the principal proposed amendments of a substantive nature which those are already described on the Interview Summary Form completed by the examiner;
- 5) a brief identification of the general basis of the principal arguments presented to the examiner. The identification of arguments need not be lengthy or elaborate. A statement of the basis of the arguments is sufficient. The identification of prior art presented by the principal prior art cited in the application may be included in this section; and
- 6) a general indication of any other relevant matters discussed;
- 7) if appropriate, the general conclusions drawn from the interview.

Examiners are expected to interpret the results of the test in the context of the clinical history. If the test is not clinically appropriate, the examiner should state this in the report.

METHYLATION OF DNA

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